

IN THE
Supreme Court of the United States

October Term, 1953

No. 10 Original.

STATE OF ARIZONA,

Complainant,

vs.

STATE OF CALIFORNIA, PALO VERDE IRRIGATION DISTRICT,
IMPERIAL IRRIGATION DISTRICT, COACHELLA VALLEY
COUNTY WATER DISTRICT, METROPOLITAN WATER DIS-
TRICT OF SOUTHERN CALIFORNIA, CITY OF LOS ANGELES,
CALIFORNIA, CITY OF SAN DIEGO, CALIFORNIA, AND
COUNTY OF SAN DIEGO, CALIFORNIA,

Defendants.

UNITED STATES OF AMERICA,

Intervener.

STATE OF NEVADA,

Intervener.

**Motion on Behalf of the California Defendants for
Leave to File an Amended Answer to the Bill of
Complaint of Arizona.**

*To the Honorable, the Chief Justice, and the Associate
Justices of the Supreme Court of the United States:*

Defendants, State of California, Palo Verde Irrigation
District, Imperial Irrigation District, Coachella Valley
County Water District, The Metropolitan Water District
of Southern California, The City of Los Angeles, The

City of San Diego and County of San Diego, hereinafter called the California Defendants, by their duly authorized attorneys respectfully move the Court for leave to file this amendment to Paragraph 68 of their Answer to Arizona's Bill of Complaint, all other provisions of that said Answer remaining unchanged.

Statement.

Paragraph XXII of Arizona's Bill of Complaint alleged that the controversy between plaintiff and defendants relates to three legal questions there summarized. The Answer of the California Defendants to Arizona's Bill of Complaint, paragraph 68, denied that the subject of the controversies is fully or accurately set out in the Bill of Complaint, and alleged that there are additional subjects of controversy between complainant and defendants.

After the filing of the Answer of Defendants to Arizona's Bill of Complaint, the United States of America and the State of Nevada filed Petitions of Intervention. These Petitions broadened the scope of the litigation, adding additional subjects of controversy. The California Defendants, in their Answers to those Petitions, summarized the issues in the controversy as disclosed by the pleadings up to that time. That summary of the issues is appended as Exhibit A to the Answer of California Defendants to Petition of Intervention on Behalf of the United State of America and is incorporated by reference in their Answer to Nevada's Petition.

To bring the defendants' pleadings in answer to Arizona into conformity with those subsequently filed in an-

swer to the United States and Nevada, the California Defendants ask that leave be granted to file this amendatory answer to Arizona's Bill of Complaint, amending paragraph 68 of their original answer to Arizona so as to state the subject matter of the controversy in the same terms as in their answers to the United States and Nevada.

Amendatory Answer.

Paragraph 68 of the Answer of the California Defendants to Arizona's Bill of Complaint is amended to read as follows:

Answering Paragraph XXII of the said Bill of Complaint, admit that controversies exist between the plaintiff and the defendants as to the interpretation, construction and application of the Colorado River Compact, the Boulder Canyon Project Act and the California Limitation Act, but deny that the subject of such controversies is fully or accurately set out in the said Paragraph XXII, and allege that there are additional subjects of controversy disclosed by Affirmative Defenses and denials contained in this Answer. Deny the accuracy or validity of the alleged solutions to the controversies suggested by Arizona in said Paragraph XXII, and deny that Arizona's position is sustained by this Court's decision in *Arizona v. California*, 292 U. S. 341, or in any other decision. Allege that the controversy, as disclosed by the pleadings filed to date, is summarized in Exhibit "A" annexed to Defendants' Answer to the Petition of Intervention on Behalf of the United States, and herein incorporated by reference as though fully stated.

Respectfully submitted,

EDMUND G. BROWN,
*Attorney General of the State
of California,*
600 State Building,
San Francisco, California,

NORTHCUTT ELY,

ROBERT L. McCARTY,
Assistant Attorneys General,
1200 Tower Building,
Washington 5, D. C.

PRENTISS MOORE,
Assistant Attorney General,
417 South Hill Street,
Los Angeles 13, California,

GILBERT F. NELSON,
Deputy Attorney General,

IRVING JAFFE,
Deputy Attorney General,

ROBERT STERLING WOLF,
Deputy Attorney General,
315 South Broadway,
Los Angeles 13, California,
*Attorneys for Defendant, State
of California;*

FRANCIS E. JENNEY,
*Attorney for Defendant,
Palo Verde Irrigation District;*

HARRY W. HORTON,
Chief Counsel,

R. L. KNOX, JR.,
218 Rehkopf Building,
El Centro, California,
*Attorneys for Defendant,
Imperial Irrigation District;*

EARL REDWINE,
3610 8th Street,
Riverside, California,
*Attorney for Defendant, Coachella
Valley County Water District;*

JAMES H. HOWARD,
General Counsel,

CHARLES C. COOPER, JR.,
Assistant General Counsel,

DONALD M. KEITH,
Deputy General Counsel,

ALAN PATTEN,
Deputy General Counsel,

FRANK P. DOHERTY,
306 West 3rd Street,
Los Angeles 13, California,
*Attorneys for Defendant, The
Metropolitan Water District
of Southern California;*

ROGER ARNEBERGH,
City Attorney,

GILMORE TILLMAN,
*Chief Assistant City Attorney
for Water and Power,*

JOHN H. MATHEWS,
Deputy City Attorney,
207 South Broadway,
Los Angeles 12, California,
*Attorneys for Defendant, The City
of Los Angeles, California;*

J. F. Du PAUL,
City Attorney,

SHELLEY J. HIGGINS,
Assistant City Attorney,
Civic Center,
San Diego, California,

T. B. COSGROVE,
1031 Rowan Building,
Los Angeles 13, California,
*Attorneys for Defendant, The
City of San Diego, California;*

JAMES DON KELLER,
District Attorney,
Court House,
San Diego, California,
*Attorney for Defendant, County
of San Diego, California.*

July 1954.